

The Board of Directors recognizes that formal Code of Conduct complaints are a serious matter and require due deliberation before any type of disciplinary action is recommended or taken, and that a standardized procedure is necessary to ensure impartial and non-biased resolution of any complaints.

In any society, disagreements between members will inevitably occur. For the society to continue to operate successfully, it is vital that these disagreements be resolved, that they are not allowed to interfere with the orderly functioning of the society, and that all members are treated fairly and equitably.

The following procedures were developed according to standards established by Robert's Rules of Order Newly Revised (RRONR) and the Hawaiian Paradise Park Owners Association (HPPOA) Code of Conduct Policy Adopted October 2024

All Code of Conduct complaints must be submitted to the Association office, on a form developed for that purpose, and signed. The form may be downloaded from the HPPOA website (HPPOA.net) or obtained from the Association office. Email submissions will not be accepted.

Breaches of Decorum are defined as acts or behaviors that disrupt the meeting, or interfere with the ability of the assembly to conduct business, including but not limited to:

- a) Yelling
- b) Using profane language
- c) Actions that obstruct or interfere with the orderly conduct of meetings, events, or HPPOA business, including by misrepresenting authority to act on behalf of HPPOA (HPPOA Code of Conduct Policy Adopted Oct 2024) (RRONR 43:28)
- d) Impugning the integrity or motives of another Member of the assembly (RRONR 43:21)
- e) Calling another Member of the assembly a "liar", a "fraud" or stating that the statements made by another Member are "lies" (RRONR 43:21)
- f) Threats, slurs, or behavior that is harassing, intimidating, humiliating, lewd or obscene (HPPOA Code of Conduct Policy Adopted Oct 2024)

Membership Meetings

All HPPOA Members and guests are expected to display proper decorum at all meetings. The Chairperson should promptly call to order any person who breaches proper decorum. If a Member files a formal complaint against the Chairperson for failing to call out a breach of decorum:

- 1) Receipt of the complaint shall be emailed to the complainant within 2 business days
- 2) At the next Board of Directors meeting scheduled to occur in at least 7 but no more than 45 days, in Executive session, three Directors shall be chosen by random drawing to comprise an investigative committee (IC)

- 3) The IC shall obtain audio and/or video recordings of the meeting in question from the GM of the Association within 5 business days and review them, individually and collectively. This review shall be concluded within 10 days
- 4) If the IC determines that the audio and/or video recordings support the complaint, the IC shall notify the full Board of Directors via email and a hearing shall be scheduled for a date not less than 7 but no more than 21 days from the notification
- 5) The Chairperson of the meeting shall be notified that a complaint has been filed, the nature of the complaint, the name of the complainant, and the date and time of the hearing. A copy of the complaint may be provided to them, upon request.
- 6) The Complainant shall be notified of the hearing date and time
- 7) The full Board of Directors shall comprise the panel of the hearing
- 8) During the hearing, the IC shall direct the proceedings and pose all questions
- 9) The complainant shall be allowed to present their case first
- 10) The Chairperson shall present their case second
- 11) The audio and/or video recordings shall be played for the hearing panel. No additional evidence shall be presented or considered
- 12) The Board shall adjourn the proceedings to deliberate, and may issue a final decision immediately after deliberations, or within 3 business days
- 13) All parties shall be notified of the final decision of the panel via email and USPS within 5 business days. A copy of the decision shall be maintained in the Association office, and shall be considered confidential

If a Code of Conduct complaint is filed against a Member for a breach of decorum at a Membership meeting, the above procedure shall be utilized, except #5 and # 9 "Chairperson" shall be replaced with "Member". If during the investigation, the IC determines that the Chairperson of the meeting addressed the breach of decorum at the time of occurrence, the complaint shall be dismissed and no hearing shall be held. The IC need not agree with the ruling from the Chair to dismiss the complaint

Committee Meetings

Breaches of Decorum at committee meetings should be dealt with by the Committee Chairperson immediately. If a situation arises in which Code of Conduct complaints are filed, or the Chairperson requests intervention by the Board of Directors:

- 1) Receipt of the complaint or request shall be emailed to the complainant or Chairperson with 2 business days
- 2) At the next Board of Directors meeting scheduled to occur in at least 7 but no more than 45 days, in Executive session, three Directors shall be chosen by random drawing to comprise an investigative committee (IC)
- 3) The IC shall begin its work within 5 days and shall obtain a written statement of the events from each member of the committee present at the meeting. In addition to obtaining written statements, the IC may interview committee members in person, via telephone or video conference. Committee members may refuse to provide a statement.

- 4) The IC shall obtain and review any recording of the meeting in question from the committee Secretary, or any committee member who has an unedited recording.
- 5) The IC shall offer all parties the opportunity to discuss and resolve the matter prior to a formal hearing. If the parties agree, the IC shall schedule a meeting and shall act as mediators to the conflict. The decision of the IC shall be final and binding
- 6) If the parties decline IC mediation, the matter shall be referred to the Board of Directors and a hearing shall be scheduled. The IC shall determine if the committee members should be asked to appear in person, or if their written statements are sufficient
- 7) During the hearing, the IC shall direct the proceedings and pose all questions.
- 8) The complainant or Chairperson shall speak first
- 9) The Member accused shall speak second
- 10) Witnesses, if appearing, shall be called third
- 11) The IC shall present the written statements, and notes from interviews last
- 12) The Board shall adjourn the proceedings to deliberate, and may issue a final decision immediately after deliberations, or within 3 business days
- 13) All parties shall be notified of the final decision of the panel via email and USPS within 5 business days. A copy of the decision shall be maintained in the Association office, and shall be considered confidential

HPPOA Sponsored Events or Activities

Code of Conduct complaints filed for breaches of decorum at HPPOA sponsored events or activities shall be treated as if the breach occurred at a Committee Meeting

Board Meetings

Breaches of decorum at Board meetings shall be dealt with by the presiding officer in an expeditious and decisive manner. Members of the Association are guests at Board Meetings, and are expected to behave as such. Repeated breaches of decorum from Members in the audience will result in the Member being asked to leave the meeting, and disciplinary action against the Member can be referred to the full Board of Directors by the presiding officer. Disciplinary action may include prohibiting the Member from attending Board Meetings in person

The presiding officer shall promptly address any breaches of decorum from Directors at Board Meetings. If a Director feels that the presiding officer has neglected their duty to do so, they may request an immediate vote of the attending Directors to call the offending Director to order, by calling a point of order and stating the point. The presiding officer must then either rule the point "well taken" and address the breach of decorum, or submit the question to the Board (RRONR 62:5).